

REMARKS

Claims 1-12 are pending.

I. The Restriction Requirement and the Applicant's Provisional Election

The Office required restriction, under 35 U.S.C. § 121, and considered the present application to contain separate and distinct inventions, directed to two groups designated Groups I-II, as these inventions or groups of inventions allegedly are not so linked as to form a single general inventive concept.

In response, the Applicant hereby provisionally elects, with traverse, Group I, claims 1-7, drawn to a process of making a polymer electrolyte membrane.

The Applicant notes that upon allowance of any linking claims, the restriction requirement as to the linked inventions shall be withdrawn and any claims depending from or otherwise requiring all of the limitations of the allowable linking claims will be rejoined and fully examined for patentability in accordance with 37 C.F.R. § 1.104.

II. The Search Is Not Unduly Burdensome

The Applicant traverses the restriction requirement at least on the grounds that the search and examination of Groups I-II together is not unduly burdensome. According to MPEP § 803, "if a search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent and distinct inventions." The Applicant suggests that because all of the claims are related to a process for producing a polymer electrolyte membrane, the examination of Groups I-II together can be made without serious burden and thus respectfully requests that all of the claims be rejoined.

CONCLUSION


The Applicant respectfully awaits the first Office Action on the merits.

The Office is invited to contact the undersigned by telephone if a telephone interview would advance the prosecution of the present application.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 19-0741. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should be charged to our Deposit Account.

Respectfully submitted,

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